



**FAIR POLITICAL PRACTICES COMMISSION**

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**To:** Chairman Johnson, Commissioners Hodson, Huguenin, Leidigh, and Remy  
**From:** Roman G. Porter, Executive Director  
**Subject:** Monthly report on Commission activities  
**Date:** January 2, 2009

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This is a summary of administrative activity and other matters since the report sent to you prior to the last meeting of the Commission.

**A. Personnel**

**Hires**

Lynda Cassady, Chief, Technical Assistance Division  
Grant Beauchamp, Program Specialist I, Enforcement Division  
Michelle Harden, Seasonal Clerk, Technical Assistance Division  
Millie Plato, Retired Annuitant, Administration Division

**Separations**

Terrance Rodgers, Political Reform Consultant I, Technical Assistance Division

**B. Conflict-of-Interest Code: Adoption and Amendments**

Pursuant to Section 87300 of the Government Code and Commission Regulation 18750.1, state and multi-county agencies seeking to adopt or substantively amend a conflict-of-interest code must submit the proposed code to the Commission for review and approval. The Technical Assistance Division has reviewed and, since the last agenda, I have approved the following conflict-of-interest codes adoption and amendments:

**Code Adoption**

Los Cerritos Wetlands Authority

**Code Amendments**

Central California Tristeza Eradication Agency  
California Department of Rehabilitation  
California Commission on Teacher Credentialing  
Paratransit  
California Secretary of State  
Stevinson Water District  
South Coast Air Quality Management District  
Turlock Unified School District

### C. Request for Extension of Committee Termination

Pursuant to Section 84214 of the Government Code and Commission Regulations 18404 and 18404.1, certain committees must terminate all activity within a specified period of time. Requests for an extension of this termination deadline may be granted by the Executive Director.

**Friends of Chuck Devore (ID# 1245341)** A request to extend the termination deadline of this committee was granted on January 2, 2009. The termination deadline was extended to May 1, 2009.

**K.C. Dickson for Assembly (ID# 1281403)** A request to extend the termination deadline of this committee was granted on January 2, 2009. The termination deadline was extended to May 1, 2009.

**Friends of Joe Dunn (ID#1279896)** A request to extend the termination deadline of this committee was granted on January 2, 2009. The termination deadline was extended to May 1, 2009.

**Lieber for Assembly (ID# 1231660)** A request to extend the termination deadline of this committee was granted on January 2, 2009. The termination deadline was extended to June 1, 2009.

### D. Audit Reports

Pursuant to Sections 90001, 90004 and 90006 of the Government Code, the Commission periodically conducts audits and prepares audit reports. Since my last report, the following audits have been completed:

**James McRitchie** and his controlled committee **Friends of James McRitchie for CalPERS**. Mr. McRitchie was a candidate for CalPERS Board of Administration in the 2006 state member election.

**Howard Schwartz** and his controlled committee **Schwartz for Cal PERS Board**. Mr. Schwartz was a candidate for CalPERS Board of Administration in the 2005 2006 state member election.

### E. Findings of Probable Cause

Pursuant to Regulation 18361, I have found sufficient evidence in the following case to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that the following respondents committed or caused a violation of the Political Reform Act. **This finding of probable cause does not constitute a finding that a violation has actually occurred. The respondent is presumed to be innocent of any violation of the Act unless a violation is proved in a subsequent proceeding.**

**In the Matter of Maria G. Lopez, Campaign to Elect Maria G. Lopez; and Adolph J. Lopez, FPPC No. 06/379.** On December 17, 2008, probable cause was found to believe that Respondents, Maria G. Lopez, Campaign to Elect Maria G. Lopez; and Adolph J. Lopez, committed four violations of the Political Reform Act, as follows:

COUNT 1: Respondent Maria G. Lopez, Campaign to Elect Maria G. Lopez, and Adolph J. Lopez failed to deposit Respondent Lopez's personal funds into a single, designated campaign bank account prior to expenditure, in violation of section 85201, subdivision (d) of the Government Code.

COUNT 2: Respondents Maria G. Lopez, Campaign to Elect Maria G. Lopez, and Adolph J. Lopez failed to file a pre-election campaign statement for the

reporting period from January 1, 2003, through September 20, 2003, by the September 25, 2003 due date, in violation of sections 84200.5, subdivision (c), and 84200.8 of the Government Code.

COUNT 3: Respondents Maria G. Lopez, Campaign to Elect Maria G. Lopez, and Adolph J. Lopez failed to file a pre-election campaign statement for the reporting period from September 21, 2003, through October 18, 2003, by the October 23, 2003 due date, in violation of sections 84200.5, subdivision (c), and 84200.8 of the Government Code.

COUNT 4: Respondents Maria G. Lopez, Campaign to Elect Maria G. Lopez, and Adolph J. Lopez failed to file a semi-annual campaign statement for the reporting period from October 19, 2003, through December 31, 2003, by the February 2, 2004 due date, in violation of section 84200, subdivision (a) of the Government Code.

**In the Matter of Ken Bukowski and Citizens to Elect Ken Bukowski, FPPC No. 06/029.** On December 30, 2008, probable cause was found to believe that Respondents, Ken Bukowski and Citizens to Elect Ken Bukowski, committed eleven violations of the Political Reform Act, as follows:

COUNT 1: Respondents Ken Bukowski and Citizens to Elect Ken Bukowski failed to maintain detailed accounts, records, bills, and receipts that were necessary to prepare campaign statements for the reporting periods from July 1, 2003, through December 31, 2003, and to establish that these campaign statements were properly filed, in violation of Section 84104 and Regulation 18401, subdivision (a).

COUNT 2: On or between approximately September 17, 2003 through November 18, 2003, Respondents Ken Bukowski and Citizens to Elect Ken Bukowski made four cash expenditures of \$100 or more, totaling \$1,340, in violation of Section 84300, subdivision (b).

COUNT 3: Respondents Ken Bukowski and Citizens to Elect Ken Bukowski failed to timely file a semi-annual campaign statement for the reporting period from October 19, 2003, through December 31, 2003, by the January 31, 2004 due date, in violation of Section 84200, subdivision (a).

COUNT 4: On or between November 20, 2003, and January 22, 2004, Respondents Ken Bukowski and Citizens to Elect Ken Bukowski made 11 expenditures to Respondent Bukowski totaling \$2,290 that were not related to a political, legislative, or governmental purpose, in violation of Section 89512.

COUNT 5: Respondents Ken Bukowski and Citizens to Elect Ken Bukowski failed to timely file semi-annual campaign statements for the reporting periods from January 1, 2004, through December 31, 2004, in violation of Section 84200, subdivision (a).

COUNT 6: Respondents Ken Bukowski and Citizens to Elect Ken Bukowski failed to timely file semi-annual campaign statements for the reporting periods from January 1, 2005, through December 31, 2005, in violation of Section 84200, subdivision (a).

COUNT 7: Respondents Ken Bukowski and Citizens to Elect Ken Bukowski failed to timely file semi-annual campaign statements for the reporting periods

from January 1, 2006, through December 31, 2006, in violation of Section 84200, subdivision (a).

COUNT 8: As a member of the City Council of the City of Emeryville, a board member of the Alameda County Waste Management Authority, and an alternate board member of the Alameda County Congestion Management Agency, Respondent Ken Bukowski failed to timely file 2003 annual statements of economic interests by April 1, 2004, in violation of Sections 87203 and 87300.

COUNT 9: As a member of the City Council of the City of Emeryville, a board member of the Alameda County Waste Management Authority, and an alternate board member of the Alameda County Congestion Management Agency, Respondent Ken Bukowski failed to timely file 2004 annual statements of economic interests by April 1, 2005, in violation of Sections 87203 and 87300.

COUNT 10: As a member of the City Council of the City of Emeryville, a board member of the Alameda County Waste Management Authority, and an alternate board member of the Alameda County Congestion Management Agency, Respondent Ken Bukowski failed to timely file 2005 annual statements of economic interests by April 3, 2006, in violation of Sections 87203 and 87300.

COUNT 11: As a member of the City Council of the City of Emeryville, a board member of the Alameda County Waste Management Authority, and an alternate board member of the Alameda County Congestion Management Agency, Respondent Ken Bukowski failed to timely file 2006 annual statements of economic interests by April 2, 2007, in violation of Sections 87203 and 87300.